

NEWPORT BEACH ZONING ADMINISTRATOR MINUTES
Council Chambers – 3300 Newport Boulevard
Wednesday, January 11, 2012
REGULAR HEARING
3:30 p.m.

1. **CALL TO ORDER** – The meeting was called to order at 3:30 p.m.

Staff Present: Brenda Wisneski, Zoning Administrator
Melinda Whelan, Assistant Planner
Fern Nueno, Assistant Planner
Erin Steffen, Planning Technician

2. **MINUTES** of December 14, 2011

Action: Approved

3. **PUBLIC HEARING ITEMS**

ITEM NO. 1 B Candy – Minor Use Permit No. UP2011-032 (PA2011-200)
3100 East Coast Highway

CD 5

Melinda Whelan, Assistant Planner gave a brief overview of the application for a Minor Use Permit to allow a candy and ice cream shop within an existing commercial space in Corona Del Mar. The proposed hours of operation are 10:00 a.m. to 10:00 p.m., daily, with a maximum of six seats at a front counter (ice cream bar). The tenant space is approximately 1,513-square-feet. The project as proposed with no late hours is compatible with existing and allowed uses within the area which include various retail and visitor commercial uses such as restaurants and take-out services, general office, and residential.

The Zoning Administrator opened the public hearing. Robert Linnaus, applicant for the project, and Brandy Valdez, owner of B Candy, stated that they understood and accepted all of the conditions of approval. There were no other public comments.

Zoning Administrator Wisneski stated that she agreed with the facts in support of the findings in the draft resolution including that on-site parking was sufficient to provide for the proposed project as well as future commercial uses in the remaining vacant tenant space within the building. The Zoning Administrator approved the application and adopted the resolution.

Action: Approved

ITEM NO. 2 Chaba Thai Massage and Spa – Minor Use Permit No. UP2011-033 (PA2011-202)
1000 N. Bristol Street, Suite 19

CD 4

Fern Nueno, Assistant Planner gave a brief overview of the item, describing the project setting, proposed project, and findings required. The application is for a Minor Use Permit for a massage establishment located in the Plaza Newport shopping center. The proposed establishment will provide five (5) massage rooms, a restroom, and waiting area. The proposed hours of operation are from 10:00 a.m. to 9:00 p.m., daily. A maximum of seven (7) employees will be on duty at all times. The shopping center contains a mix of uses that are compatible with the massage establishment including retail and service uses. The site is developed with 222 parking spaces.

The Zoning Administrator opened the public hearing. Michael Guenther and Somporn Guenther, applicants for the project, stated that they understood and accepted all of the conditions of approval. There were no other public comments.

Zoning Administrator Wisneski stated that she agreed with the facts in support of the findings in the draft resolution. The Zoning Administrator approved the application and adopted the resolution.

Action: Approved

ITEM NO. 3 Corporate Plaza West Monument Sign - Modification Permit No. 2011-019
(PA2011-210)
1600 Newport Center Drive CD 5

Erin Steffen, Planning Technician, gave a brief overview of the item, describing the project setting, proposed project, and findings required. The application is for a Modification Permit to allow the construction of a freestanding monument sign located in the landscaped area along East Coast Highway. The sign is a maximum 3 feet, 11 inches high by 8 feet wide, including the base, with a sign area of 16 square feet and identifies tenant names. Planning Technician Steffen explained that after the staff report was made available to the public, it was recommended by the Public Works Department that the location of the proposed monument sign be revised so that it does not encroach into the existing storm drain easement. Therefore, the applicant provided a new plan relocating the sign approximately 100 feet north of the previously proposed location, outside the easement, and 5 feet from the property line. Planning Technician Steffen recommended that the applicant be allowed flexibility as to the final location of the sign, so long as adequate site distance is provided, no trees are removed, and the sign be located at least 2 feet from the back of side walk and not located within the easement. Additionally, since the grade varies within the landscaped area along East Coast Highway, it was recommended that the maximum average height limit of the monument sign be increased from 3 feet to 3 feet 6 inches to allow for flexibility for any increase in slope. Staff also recommended that the sign be limited to a maximum of two tenant names to guard against the excessive use and confusing proliferation of signs.

As a result of these changes and recommendations, Planning Technician Steffen indicated the facts to support the findings are not affected and can still be made. However, revisions were suggested to Conditions No. 2, 3, and 6 as follows:

Condition No. 2

- ~~2. The final location of the monument sign shall be approved by the Public Works Department to ensure that the signage does not impact vehicular sight distance.~~
2. The final location of the monument sign shall not result in the removal of any trees, be located at least 2 feet from the back of side walk, and conform to City Standard 110-L to ensure that adequate sight distance is provided.

Condition No. 3

- ~~3. Unless otherwise indicated by the Corporate Plaza West Planned Community Text, the dimensions of the monument signs shall not exceed an average height of 3 feet in height by 8 feet wide; sign area shall be limited to a maximum of 16 square feet (per face); and individual letter heights shall not exceed eighteen inches.~~
3. Unless otherwise allowed by the Corporate Plaza West Planned Community Text, the monument sign's dimensions shall not exceed an average height of 3 feet 6 inches by 8 feet wide; sign area shall be limited to a maximum 16 square feet (per face), individual letter heights shall not exceed eighteen inches; and sign content can list up to two tenants names.

Condition No. 6

~~6. Unless otherwise determined by the Public Works Department, the applicant shall obtain an encroachment permit and agreement for construction of the sign in the existing storm drain easement along East Coast Highway.~~

6. The monument sign shall not encroach into the existing storm drain easement located on the property.

The Zoning Administrator opened the public hearing. Shawna Schaffner, applicant for the project on behalf of the Irvine Company, stated that they understood and accepted all of the conditions of approval, except requested that the applicant have the flexibility to remove one tree if necessary for better visibility of the monument sign. Zoning Administrator Wisneski indicated that the trees in this area are equally spaced along East Coast Highway and the removal of tree would create inconsistency. Furthermore, the application provides sufficient flexibility as to the final location of the sign and the removal of a tree should not be necessary. There were no other public comments.

Zoning Administrator Wisneski stated that she agreed with the facts in support of the findings in the draft resolution and accepted the revisions to Conditions No, 2, 3, and 6. The Zoning Administrator approved the application and adopted the resolution.

Action: Approved

4. PUBLIC COMMENTS ON NON-AGENDA ITEMS:

None

ADJOURNMENT – The hearing was adjourned at 3:45 p.m.